

14A.2-130 Certificate of existence.

- (1) Anyone may apply to the Secretary of State to furnish a certificate of existence for an entity.
- (2) A certificate of existence shall set forth:
 - (a) The entity's real name;
 - (b) That the entity was duly organized under the laws of this Commonwealth, the date of its organization, and the period of its duration if less than perpetual;
 - (c) That no articles of dissolution, statement of cancellation, or document of similar import is effective;
 - (d) That all fees, taxes, and penalties owed to this Commonwealth have been paid, if:
 1. Payment is reflected in the records of the Secretary of State; and
 2. Nonpayment affects the existence of the entity;
 - (e) That its most recent annual report required by KRS 14A.6-010 or predecessor law has been filed by the Secretary of State; and
 - (f) Subject to KRS 14A.2-120(3), other facts of record in the office of the Secretary of State that may be requested by the applicant.
- (3) Subject to any qualification stated in the certificate, a certificate of existence issued by the Secretary of State may be relied upon as conclusive evidence that the entity is in existence.
- (4) This section shall not apply to:
 - (a) Partnerships organized pursuant to KRS Chapter 362 or 362.1;
 - (b) Limited partnerships other than those subject to KRS Chapter 362.2;
 - (c) Business trusts governed as to their internal affairs by KRS Chapter 386; or
 - (d) An individual series of a series entity.

Effective: July 12, 2012

History: Amended 2012 Ky. Acts ch. 81, sec. 80, effective July 12, 2012. -- Created 2010 Ky. Acts ch. 151, sec. 20, effective January 1, 2011.